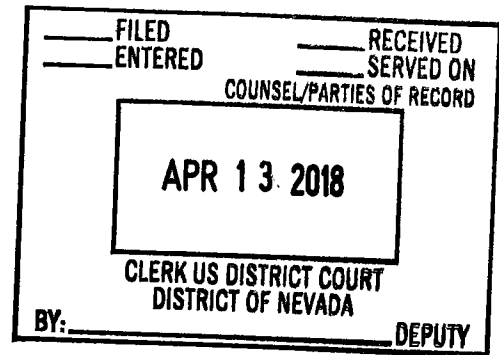




COMP
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TRAVIS CURRO,
Plaintiff,

vs.

UNITED STATES OF AMERICA ex rel
UNITED STATES POSTAL SERVICE;
Defendants.

CASE NO.: 2:18-cv-00658-GMN-PAL
DEPT. NO.:

COMPLAINT

PLAINTIFF'S COMPLAINT

JURISDICTION

1. This action is brought pursuant to the Federal Torts Claim Act, 28 U.S.C. § 2671.

2. On September 6, 2017, Plaintiff submitted an administrative claim for injuries he sustained as the result of the motor vehicle collision in Las Vegas, Nevada, to the National Tort Center for the United States Postal Service. During this evaluation time period, the statute of limitations was tolled for all parties and causes of action.

3. On April 11, 2018, the United States Postal Service, National Tort Center, spoke with Plaintiff regarding liability but the parties were unable to come to an



1 agreement regarding case value.

2 4. Plaintiff files this action within the six (6) months from April 11, 2018,
3 when the United States undervalued this claim under the Federal Torts Claim Act and
4 Plaintiff met all conditions precedent to file this action.

5 5. Venue is properly within the District of Nevada under 28 U.S.C. § 1402(b)
6 as the acts complained of occurred in the District of Nevada.

7 6. Jurisdiction is proper under 28 U.S.C. § 1346 (b)(1).

8
9 **PARTIES**

10 7. Plaintiff TRAVIS CURRO (hereinafter "Plaintiff") is, and at all times
11 mentioned herein was, a citizen of the State of Nevada.

12 8. The UNITED STATES OF AMERICA, ex rel UNITED STATES POSTAL
13 SERVICE (hereinafter "USPS") is the appropriate Defendant under the Federal Torts
14 Claim Act, and the actions complained of occurred in Las Vegas, Nevada.

15 **FACTS COMMON TO ALL CAUSES OF ACTION**

16
17 9. On October 23, 2015, Plaintiff was the driver of a 2010 Dodge Charger in
18 Las Vegas, Nevada.

19 10. Upon information and belief, on the aforementioned day, Plaintiff was at
20 the intersection of Sunset and Pecos in Las Vegas, Nevada when he attempted to make
21 a left turn onto Pecos at the direction of the green arrow traffic signal.

22 11. Upon information and belief, on the aforementioned day and at all times
23 prior thereto, Beth Laine Baca was an agent and/or employee of Defendant USPS.

24 12. Upon information and belief, and at all times relevant thereto, Beth Laine
25 Baca was driving a 2006 Dodge Caravan Van owned, controlled and maintained by
26 Defendant USPS.

27 13. Upon information and belief and at all times relevant thereto, Beth Laine



1 Baca was heading eastbound on Sunset, approaching the intersection with Pecos
2 where there was a red light for eastbound traffic.

3 14. Upon information and belief and at all times relevant thereto, Beth Laine
4 Baca ran the red light at the intersection of Pecos and Sunset, causing a collision with
5 Plaintiff.
6

7 15. As a result of the collision, Plaintiff sustained severe and disabling injuries
8 to his person, has incurred medical expenses and other damages, and will continue to
9 incur medical expenses and other damages in the future; was forced to endure pain,
10 suffering, and mental anguish, and will continue to endure pain, suffering and mental
11 anguish in the future; has suffered a loss of enjoyment of life and will continue to
12 suffer a loss of enjoyment of life in the future; and was forced to hire an attorney to
13 recover for this claim.

14 **FIRST CLAIM FOR RELIEF**
15 **(NEGLIGENCE)**

16 16. Plaintiff hereby repeats, re-alleges and incorporates by reference each and
17 every allegation set forth in the above paragraphs as though each were set forth herein
18 verbatim.

19 17. Defendant USPS by and through their agent and/or employee Beth Laine
20 Baca, owed Plaintiff a duty of care to operate the USPS Vehicle in a reasonable and
21 safe manner. Defendant by and through their agent and/or employee Beth Laine
22 Baca, breached that duty of care by striking Plaintiff's vehicle on the roadway.

23 18. The acts of Defendant USPS by and through their agent and/or employee
24 Beth Laine Baca, as described herein, violated the traffic laws of the State of Nevada
25 and Clark County, constituting negligence per se.

26 19. As a direct and proximate result of the negligence of Defendant, Plaintiff
27 has sustained severe and disabling injuries to his person, has incurred medical
expenses and other damages, and will continue to incur medical expenses and other



1 damages in the future; was forced to endure pain, suffering, and mental anguish, and
2 will continue to endure pain, suffering and mental anguish in the future; has suffered a
3 loss of enjoyment of life and will continue to suffer a loss of enjoyment of life in the
5 future; and was forced to hire an attorney to recover for this claim.

6 20. The acts and/or omissions set forth above constitute a claim under the
7 law in the State of Nevada.

8 21. The Defendant USPS by and through their agent and/or employee Beth
9 Laine Baca is liable pursuant to 28 U.S.C. 1346 (b)(1).

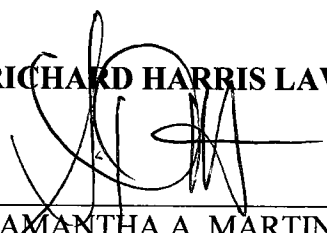
PRAYER FOR RELIEF

10 WHEREFORE, Plaintiff, expressly reserving the right to amend this Complaint
11 prior to or at the time of trial of this action to insert those items of damage not yet fully
12 ascertainable, prays judgment against the Defendants, and each of them, as follows:

- 13 1. General damages sustained by Plaintiff in an amount in excess of \$75,000.
- 14 2. Special damages to be determined at the time of trial;
- 15 3. Medical and incidental expenses already incurred and to be incurred;
- 16 4. Reasonable attorney's fees and costs of suit;
- 17 5. Interest at the statutory rate; and
- 18 6. For such other relief as the Court deems just and proper.

19 DATED this 11th day of April, 2018.

21 **RICHARD HARRIS LAW FIRM**

22 
23 _____
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